## COOPER & DUNHAM LLP

RECEIVED CENTRAL FAX CENTER

ATTORNEYS AT LAW

IIBS AVENUE OF THE AMERICAS, NEW YORK, NEW YORK 10036
TELEPHONE; (212) 278-0400

NOV 1 4 2005

CHRISTOPHER C. DUNHAM NORMAN H. ZIVIN JOHN P WHITE WILLIAM E PELTON ROBERT D. KATZ WENDY E. MILLER POMERT T MALDONADO ERIC D. KIRSĆA ALAN J. MORRISON KEITH J. BARKAUS AUDE GERSPACHER JEFFREY C SHIEH BRIAN J AMOS TONIA A. SAYOUR LESLIE K. NGUYEN NILAY D. PATEL

IVAN S KAVRUKOV
PETER D. MURRAY
JAY H. MAIOLI
ROBERT 9.5. MCINOWITZ
PETER J. PRILLIPS
RICHARD S. MILNER
RICHARD F. JAWORSKI
PAUL TENG
GARY J. QERSHIK
MARIA V. MARUCCI
ASHTON J. DELAUNEY
NARESH SRITHARAN
JOSEPH B. OROSS
DANIEL N. SMITH

FACSIMILE: (212) 391-0525 (212) 391-0526 (212) 391-0630 (212) 391-0631

OF COUNSEL
DONALD \$, DOWDEN
PEDRO C. FERNANDEZ

FOUNDED 1867
www.cooperdunham.com

### FACSIMILE TRANSMISSION

PLEASE DELIVER THE FOLLOWING PAGES

TO : USPTO Central Facsimile Number

COMPANY/FIRM : U.S. Patent and Trademark Office

FACSIMILE NO.: (571) 273-8300

FROM : Alan J. Morrison, Esq./JCS

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 10

===

DATE: November 14, 2005 Time: 3:45 p.m.

CLIENT/DOCKET: U.S. Serial No. 09/851,071; Our Docket 0575/55424-2

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL BACK AS SOON AS

POSSIBLE TO (212) 278-0400.

#### MESSAGE:

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED SOLELY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT (S) NAMED ABOVE. THIS TRANSMISSION MAY BE AN ATTORNEY-CLIENT COMMUNICATION CONTAINING INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT A DESIGNATED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO A DESIGNATED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROBIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR IF UPON READING THIS DOCUMENT YOU HAVE REASON TO BELIEVE THAT THE DOCUMENT WAS INADVERTENTLY SENT TO YOU, PLEASE NOTIFY US IMMEDIATELY BY COLLECT TELEPHONE CALL AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

### Docket No. 0575/55424-Z/JPW/AJM/JCS

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED **CENTRAL FAX CENTER** Applicant(s): Ann Marie Schwidt, et al. NOV 1 4 2005 Serial No. : 09/851,071 Examiner: S. Kaushal Filed : <u>May</u> 8, 2001 \_\_Group Art Unit: 1636 For : A Method for Inhibiting Tumor Invasion or Spreading in a Subject Mail Stop Amendment COMMISSIONER FOR PATENTS Date: November 14, 2005 P.O. Box 1450 Alexandria, VA 22313-1450 Transmitted herewith is an amendment to the above-identified application. Small entity status of this application under 37 C.F.R. \$1.9 and \$1.27 has been previously established. A verified statement to establish small entity status under 37 C.F.R. \$1.9 and \$1.27 is enclosed. X\_\_ No additional fee is required.

## The filing fee is calculated as follows:

	Number after		Highest Number		Number of Extra		RATE			FEB			
	Amer	ıd-		viou d Po		Claims Presented		Small Entity	Other Entity		Small Entity	Other Entity	
Total Claims	8	-	* -	22	=	***	0	x	\$25	\$50	_	0	
Indepen -dent Claims	1	_	**	3	.,	***	0	x	\$100	\$200	=	0	
Multiple For Fire	Deper Time		c Cla		) Pr		ed		\$180	\$360	=	0	
									TOTAL AL	DITIONAL		s 0.00	T-1

The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims originally filed.

"If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

"It the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

JPW Rev. 2-4-05

The difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "O", write "O".

Applicant(s): Ann Marie Schat	ldt, et al.
Serial No. : 09/851,071	
Filed : May 8, 2001	
Amendment Transmittal Letter Page 2	
The following are also enclose	ed:
X One additional copy of t	his Amendment Transmittal Letter
X Return Receipt Postcard	
An Information Disclosur (Copies of citations inc.	e Statement, including Form PTO-1449 luded: Yes No included)
A Petition for an Ex	tension of Time, including a fee of etition for Month(s) Extension of Time
Other (identify):	
<del>-</del>	
THE TOTAL FEE DUE IS \$ 0.00	
	\$ is enclosed.
Please charge Deposit Acc	ount No in the amount of
X The Commissioner is hereby required or credit any over as follows:	authorized to charge any additional fees erpayment to Deposit Account No. 03-3125
X Fees under 37 C.F.R. Patent application p	\$1.16 for the presentation of extra claims processing fees under 37 C.F.R. \$1.17
	Respectfully submitted,
I hereby certify that this	John P. White
correspondence is being transmitted this date by facsimile to:	Registration No. 28,678 Alan J. Morrison
Mail Stop Amendment	Registration No. 37,399
Commissioner for Patents	Attorneys for Applicant(s) Cooper & Dunham LLP (Customer #23432)
P.O. Box 1450 Alexandria, VX 22313~1450	1185 Avenue of the Americas
	New York, New York 10036
	(212) 278-0400
Alan J. Morrison Date	

Reg. No. 37,399

## Docket No. 0575/55424-Z/JPW/AJM/JCS

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s	Am Marie Schwidt et al.
Serial No.	: 09/851,071 Examiner: S. Kaushal
Filed	: May 8, 2001 Group Art Unit: 1636
For	: A Method for Inhibiting Tumor Towasion or Spreading
	in a Subject
P.O. Box 14	R FOR PATENTS
Transmitted	herewith is an amendment to the above-identified application.
	Small entity status of this application under 37 C.F.R. \$1.9 and \$1.27 has been previously established.
<del></del>	A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.
<u> </u>	No additional fee is required.

The filing fee is calculated as follows:

	Number after	Highest Number	Number of Extra	RA		FEE		
	Amend-	Previously Paid For	Claims Presented	Small Entity	Other Entity		Small Entity	Other Entity
Total	8 _	*	***	ļ		├	<u> </u>	
Claims	<u> </u>	22 =	0 x	\$25	\$50		0	
Indepen -dent Claims	1 _	3 _	•••• o x	\$100	\$200	-	0	
Multiple For Firs	Dependen Time	t Claim(s) Pr	resented No	\$180	\$360	=	0	
				TOTAL A	LANOITICO		s 0.00	

The "Highest Number Previously PAID FOR" (Total or Independent) is the highest of the "Number After Amendment" in any prior amendment or the number of claims originally filled.

"It the "Highest Number Previously PAID FOR" is less than 20, write "20" in this Space.

"It the "Highest Number Previously PAID FOR" is less than 3, write "10 in this space.

"It the mifference between the "Number After Amendment" and the "Highest Number Previously PAID FOR" is less than "0", write "0".

JPW Rev. 2-4-05

Applicant (8): An	m Marie Schmidt, et al.
Serial No. : 09	/851,071
Filed : May	7 X 7NN 1
Amendment Transmit Page 2	tal Letter
The following are	also enclosed:
	al copy of this Amendment Transmittal Letter
X Return Recei	pt Postcard
(cobies of C	on Disclosure Statement, including Form PTO-1449 itations included: YesNo f \$included)
A Petition	for an Extension of Time, including a fee of for a Petition for Month(s) Extension of Time
Other (ident:	ify):
A check in the please charge s  X The Commission required or crass follows:  X Fees unde	Deposit Account No is enclosed.  Deposit Account No in the amount of  Deposit Account No in the amount of extraction of extraction of extraction of extraction of extraction processing fees under 37 C.F.R. \$1.17  Respectfolly submitted,
I hereby certify correspondence is being this date by facsimile Muil Stop Amendment Commissioner for Patent P.O. Box 1450 Alexandria. VX 22313-14	Registration No. 37,399 Attorneys for Applicant(s) Cooper & Dunham LLP (Customer #23432)

Dkt. 0575/55424-Z/JPW/AJM/JCS

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ann Marie Schmidt, et al.

Serial No.: 09/851,071 Examiner: S. Kaushal

Filed : May 8, 2001 Group Art Unit: 1636

For A METHOD FOR INHIBITING TUMOR INVASION OR :

SPREADING IN A SUBJECT

1185 Avenue of the Americas New York, New York 10036

November 14, 2005

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RECEIVED **CENTRAL FAX CENTER** NOV 1 4 2005

SIR:

#### SECOND PRELIMINARY AMENDMENT

This Second Preliminary Amendment is submitted further to a November 9, 2005 telephonic interview between Examiner Sumesh Kaushal and applicants' undersigned attorney, Alan J. Morrison, Esq., in connection with the above-identified application.